



Express Mail No. EV452773409US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marton et. al.

Confirmation No.: 8604

Serial No.: 09/823,322

Art Unit: 1631

Filed: April 2, 2001

Examiner: Marschel, A.

For: METHODS FOR DETERMINING
THERAPEUTIC INDEX FROM GENE
EXPRESSION PROFILES

Attorney Docket No: 9301-136

AMENDMENT UNDER 37 C.F.R. § 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the office action mailed on August 11, 2004 in connection with the above-identified patent application and in accordance with Rule 116 of the rules of practice, please enter the following amendments and consider the following remarks. Applicants submit concurrently herewith: 1) Amendment Fee Transmittal, accompanied by the appropriate fee; and 2) Notice of Appeal, accompanied by the appropriate fee.

AMENDMENTS TO THE CLAIMS are reflected in the listing of the claims which begins on page 2 of this paper.

REMARKS begins on page 11 of this paper.

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